

Senate File 2305

S-5054

1 Amend the amendment, S-5047, to Senate File 2305 as follows:

2 1. Page 2, after line 7 by inserting:

3 <Sec. _____. NEW SECTION. 507F.3A Failure to obtain workers'
4 compensation insurance.

5 An employer subject to chapters 85, 85A, 85B, 86, and 87
6 shall not engage in business without first obtaining insurance
7 covering compensation benefits or obtaining relief from
8 insurance as provided in chapter 87. A person who willfully
9 and knowingly violates this section is guilty of a class "D"
10 felony.>

11 2. Page 7, after line 4 by inserting:

12 <Sec. _____. Section 87.15, Code 2018, is amended to read as
13 follows:

14 **87.15 Injunctions.**

15 If a violation of section 87.14A 507F.3A has been committed
16 or there is reason to believe a violation of section 87.14A
17 507F.3A is about to be committed, ~~the attorney general or~~
18 ~~the county attorney from the county in which a violation~~
19 ~~has occurred or is about to occur shall, or any person may,~~
20 workers' compensation fraud unit prosecuting attorney may bring
21 an action to enjoin such person from committing the violation
22 and the court or judge before whom the action is brought shall,
23 if the facts warrant, issue a temporary or permanent writ of
24 injunction without bond.

25 Sec. _____. Section 87.19, Code 2018, is amended to read as
26 follows:

27 **87.19 Failure to comply — proceedings.**

28 Upon the receipt of information by the workers' compensation
29 commissioner of any employer failing to comply with section
30 ~~87.14A~~ 507F.3A, the commissioner shall at once notify such
31 employer by certified mail that unless such employer comply
32 with the requirements of law, legal proceedings will be
33 instituted to enforce such compliance.

34 Unless such employer comply with the provisions of the
35 law within fifteen days after the giving of such notice, the

1 workers' compensation commissioner shall report such failure to
2 the ~~attorney general~~ workers' compensation fraud unit, whose
3 duty it shall be to bring an action in a court of equity to
4 enjoin the further violation. Upon decree being entered for
5 a temporary or permanent injunction, a violation shall be a
6 contempt of court and punished as provided for contempt of
7 court in other cases.>

8 3. Page 8, after line 19 by inserting:

9 <Sec. ____ . REPEAL. Section 87.14A, Code 2018, is repealed.>

10 4. By renumbering, redesignating, and correcting internal
11 references as necessary.

NATE BOULTON

WILLIAM A. DOTZLER, JR.